

Amendment No. 001 (for drafter's use only)

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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ORIGINAL STAMP BELOW

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11 The Committee on Transportation offered the following:

12

13 **Amendment (with title amendment)**

14 Remove from the bill: Everything after the enacting clause

15

16 and insert in lieu thereof:

17 Section 1. Short title.--This act may be cited as the
18 "Move Over Act."

19 Section 2. Subsections (1) and (6) of section 316.126,
20 Florida Statutes, are amended to read:

21 316.126 Operation of vehicles and actions of
22 pedestrians on approach of authorized emergency vehicle.--

23 (1)(a) Upon the immediate approach of an authorized
24 emergency vehicle, while en route to meet an existing
25 emergency, the driver of every other vehicle shall, when such
26 emergency vehicle is giving audible signals by siren, exhaust
27 whistle, or other adequate device, or visible signals by the
28 use of displayed blue or red lights, yield the right-of-way to
29 the emergency vehicle and shall immediately proceed to a
30 position parallel to, and as close as reasonable to the
31 closest edge of the curb of the roadway, clear of any

Amendment No. 001 (for drafter's use only)

1 intersection and shall stop and remain in position until the
2 authorized emergency vehicle has passed, unless otherwise
3 directed by any law enforcement officer.

4 (b) When an authorized emergency vehicle making use of
5 any visual signals is parked, the driver of every other
6 vehicle, as soon as it is safe:

7 1. Shall vacate the lane closest to the emergency
8 vehicle when driving on an interstate highway or other highway
9 with two or more lanes traveling in the direction of the
10 emergency vehicle, except when otherwise directed by a law
11 enforcement officer.

12 2. Shall slow to speed that is 20 miles per hour less
13 than the posted speed limit when driving on a two-lane road,
14 except when otherwise directed by a police officer.

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16 This section shall not operate to relieve the driver of an
17 authorized emergency vehicle from the duty to drive with due
18 regard for the safety of all persons using the highway.

19 (6)(a) A violation of this section is a noncriminal
20 traffic infraction, punishable pursuant to chapter 318 as
21 either a moving violation for infractions of subsection (1) or
22 subsection (3), or as a pedestrian violation for infractions
23 of subsection (2).

24 (b) A violation of subsection (1) is a noncriminal
25 traffic infraction, punishable by a fine of not less than \$25
26 nor more than \$50.

27 1. Until July 1, 2004, the proceeds from the fine
28 shall be allocated to the Department of Highway Safety and
29 Motor Vehicles to provide for an educational awareness
30 campaign to inform the motoring public about the new law. The
31 department shall provide that information about the new law be

Amendment No. 001 (for drafter's use only)

1 placed in all newly printed driver's license educational
2 materials.

3 2. After July 1, 2004, the proceeds from the fine
4 shall be allocated in an equal distribution annually to the
5 minor children of any law enforcement officer killed as a
6 result of a violation of subsection (1).

7 Section 3. Subsection (3) of section 316.2397, Florida
8 Statutes, is amended to read:

9 316.2397 Certain lights prohibited; exceptions.--

10 (3) Vehicles of the fire department and fire patrol,
11 including vehicles of volunteer firefighters as permitted
12 under s. 316.2398, vehicles of medical staff physicians or
13 technicians of medical facilities licensed by the state as
14 authorized under s. 316.2398, ambulances as authorized under
15 this chapter, and buses and taxicabs as authorized under s.
16 316.2399 are permitted to show or display red lights. Vehicles
17 of the fire department, fire patrol, police vehicles, and such
18 ambulances and emergency vehicles of municipal and county
19 departments, public service corporations operated by private
20 corporations, the Department of Environmental Protection, and
21 the Department of Transportation as are designated or
22 authorized by their respective department or the chief of
23 police of an incorporated city or any sheriff of any of the
24 various counties are hereby authorized to operate red lights
25 and sirens in an emergency.Wreckers, mosquito control fog and
26 spray vehicles, and emergency vehicles of governmental
27 departments or public service corporations may show or display
28 amber lights when in actual operation or when a hazard exists
29 provided they are not used going to and from the scene of
30 operation or hazard without specific authorization of a law
31 enforcement officer or law enforcement agency. Wreckers may

Amendment No. 001 (for drafter's use only)

1 use amber rotating or flashing lights while performing
2 recoveries and loading on roadside day or night, and while
3 towing a vehicle on wheel lifts, slings, or underreach only if
4 the operator of the wrecker deems such lights necessary. A
5 flatbed, car carrier, or rollback may not use amber rotating
6 or flashing lights when hauling a vehicle on the bed unless it
7 creates a hazard to other motorists because of protruding
8 objects.Further, escort vehicles will be permitted to show or
9 display amber lights when in the actual process of escorting
10 overdimensioned equipment, material, or buildings as
11 authorized by law. Vehicles of private watch, guard, or patrol
12 agencies licensed pursuant to chapter 493 may show or display
13 amber lights while patrolling condominium, cooperative, and
14 private residential and business communities by which employed
15 and which traverse public streets or highways.

16 Section 4. This act shall take effect July 1, 2002.

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19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 remove from the title of the bill: the entire title

22
23 and insert in lieu thereof:

24 A bill to be entitled

25 An act relating to state uniform traffic
26 control; creating the "Move Over Act"; amending
27 s. 316.126, F.S.; providing requirements with
28 respect to authorized emergency vehicles making
29 use of visual signals when parked; providing a
30 penalty; providing for the disposition of
31 fines; amending s. 316.2397, F.S.; authorizing

Amendment No. 001 (for drafter's use only)

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wreckers to use amber rotating or flashing
lights under certain circumstances; providing
an effective date.